



## TOWNSHIP OF AMARANTH SPECIAL COUNCIL MINUTES

**Tuesday, November 30, 2011**

The Township of Amaranth Council met in the Council Chambers of the municipal office, Laurel, Ontario on November 30, 2011, for a Special Meeting of Council, with respect to site plan approval and zoning by-law for property at Concession 6, West Part Lot 14 (2176532 Ontario Ltd. / Foreign Express Trucks).

PRESENT:	Mayor	D. MacIver
	Deputy-Mayor	W. Kolodziechuk
	Councillor	J. Aultman
	Councillor	B. Besley
	Councillor	H. Foster
	CAO/Clerk-Treasurer	S. Stone
	Township Planner	C. Gervais
	Deputy-Clerk	C. Doherty
	Township Solicitor	J. Wilker

1. **OPENING OF MEETING**

Mayor MacIver called meeting to order at approximately 2:30 p.m.

2. **APPROVAL OF AGENDA**

2.1 **Resolution # 1**

Moved by W. Kolodziechuk- Seconded by H. Foster

**Resolved** that Council approve the Special Meeting agenda as circulated.  
**Carried.**

3. **DISCLOSURE OF PECUNIARY INTEREST**

Can be declared at any time during the meeting.

4. **CLOSED MEETING**

4.1 Advice that is subject to solicitor-client privilege, including communication necessary for that purpose

4.2 Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

**Resolution # 2** (approximately 2:32 p.m.)

Moved by B. Besley - Seconded by J. Aultman

**Resolved** that Council move into a Closed Meeting pursuant to Section 239 of the Municipal Act, 2001, as amended for the following reason(s):

Advice that is subject to solicitor-client privilege, including communication necessary for that purpose

Litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board. **Carried.**

**Resolution # 3**

(approximately 3:22 p.m.)

Moved by J. Aultman - Seconded by B. Besley**Resolved** that Council do now rise and report from Closed Meeting, and resume regular business. **Carried.**

Jeff Wilker, Township Solicitor, to brief public in attendance, including Mr. Dominic Alati and Mr. Percy Way, who were invited to attend this meeting with respect to the Closed Meeting during which the following matter under Item 5 - Planning was discussed.

5. **PLANNING**5.1 **Foreign Express** - Paul DeMelo, Domenic Alati and Percy Way (invited) re: West Part Lot 14, Concession 6

5.1.1 Site Plan (SPA3-08) - Notice of Intention to pass by-law to grant Site Plan Approval subject to conditions, including the entering into a Site Plan Agreement

5.1.2 Zoning By-law (Z4-08) - Notice of Intention to pass Zoning By-law

Mr. Way and Mr. Alati were in attendance. Mr. DeMelo, Solicitor for Mr. Alati, was not able to attend.

There were also four (4) members of the public in the gallery, being Paul Overgaauw, Richard & Nadia Horvath and Derrick Fullerton.

Township Solicitor Jeff Wilker gave an overview of the application and summarized discussions and recommendations that have been presented to Council for site plan approval for the property, subject to execution of an approved Site Plan Agreement that will include conditions such as time lines for development and there will be a site specific zoning bylaw with a holding provision pending satisfaction of conditions. There is also an ongoing court application, which will be dealt with in February, 2012 with a consent order with built-in time lines for conformity with the Site Plan Agreement and zoning provisions. Further discussion resulted in the following resolutions:

**Resolution # 4**Moved by H. Foster - Seconded by W. Kolodziechuk

**Resolved** that leave be given to introduce a by-law to amend By-law 2-2009, as amended, by rezoning a portion of the property described as West Part Lot 14, Concession 6, from Rural (RU) zone to Rural Exception Twenty-Two Holding zone (RU-22 (H)); Rural Exception Twenty-Three Holding zone (RU-23 (H)); and Rural Exception Twenty-Four (RU-24); and that it be given the necessary readings and be passed and Numbered 68-2011. **Carried.**

**Resolution # 5**Moved by B. Besley - Seconded by J. Aultman

**Resolved** that leave be given to introduce a by-law to authorize the execution of a Site Plan Agreement between the Township of Amaranth and 2176532 Ontario Ltd. (Foreign Express Trucks), and that it be given the necessary readings and be passed and Numbered 69-2011. **Carried.**

6. **CONFIRMING BY-LAW**

6.1 **Resolution # 6**

Moved by W. Kolodziechuk- Seconded by H. Foster

**Resolved** that leave be given to introduce a by-law to confirm the proceedings of the Special Meeting of Council of the Township of Amaranth for November 30, 2011 and that it be given the necessary readings and be passed and Numbered 70-2011. **Carried.**

7. **ADJOURNMENT**

7.1 **Resolution # 7**

Moved by B. Besley - Seconded by J. Aultman

**Resolved** that Council do now adjourn Special Meeting to meet again on December 14, 2011 at 10:00 a.m. for regular meeting of Council or at the call of the Mayor. **Carried.**

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CLERK

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HEAD OF COUNCIL